



Application # V _____

CITY OF FREDERICKSBURG, VIRGINIA

BOARD OF ZONING APPEALS

APPLICATION FOR VARIANCE

Definition

Variance means a reasonable deviation from those provisions in the Zoning Ordinance regulating the size or area of a lot or parcel of land, or the size, area, bulk or location of a building or structure when the strict application of the Zoning Ordinance would result in unnecessary or unreasonable hardship to the property owner, and such need for a variance would not be shared generally by other properties, and provided such variance is not contrary to the intended spirit and purpose of this article, and would result in substantial justice being done. It shall not include a change in use which could be accomplished by a rezoning, a conditional zoning, or a special use permit.

Hardship

To prove hardship, a property owner must show that the strict application of the terms of the ordinance effectively prohibits or unreasonably restricts the use of the property. A variance may be justified by (1) the exceptional size or shape of a property at the time of the effective date of the ordinance, or by (2) exceptional topographic conditions or other extraordinary situation of such property. The BZA must be satisfied, upon the evidence heard, that granting a variance will alleviate a clearly demonstrated hardship, as distinguished from a special privilege or convenience sought by the applicant. (See section 14-702 of the Zoning Ordinance).

Application Requirements

Variance applications must be filed with the Office of Planning & Community Development. *Applications must include an application fee of \$100.00, as well as seven (7) copies of preliminary plans or architectural drawings with the following information:*

- Overall dimensions of the lot.
- Dimensions of proposed construction.
- Dimensions of the variance(s) requested.
- Justification of the zoning hardship.

Granting of a Variance

No such variance shall be authorized by the Board unless it finds:

1. That the strict application of such article would produce undue hardship.
2. That such hardship is not shared generally by other properties in the same zoning district and the same vicinity.
3. That the authorization of such variance will not be of substantial detriment to adjacent property and that the character of the district will not be changed by the granting of the variance.

Board of Zoning Appeals Action

The BZA will provide public notice and hold a public hearing concerning the application for variance. The BZA meets on the third Monday of each month in City Hall Council Chambers at 4:00 p.m. The applicant must be present at the meeting to answer any questions of the Board.

Appeal of BZA's Decision

Any person(s) aggrieved by a decision of the BZA may, within thirty (30) days of the BZA's decision, present to the Circuit Court of the City of Fredericksburg a petition indicating the grounds on which they are aggrieved.

Date of Application _____

Fee: \$100.00
Check # _____

Name of Applicant _____

Mailing Address _____

Telephone _____

Interest in Property _____

If the Applicant is not the Owner, attach appropriate documentation of Owner's consent.

Name of Owner (if different from applicant) _____

Mailing Address _____

Telephone _____

The property in question is described as follows:

Street Address _____

Zoning District _____

Legal Description (include subdivision and lot number)

This is a request for a variance to Section _____ of the Zoning Ordinance. Only those items listed in the definition of a variance found on page 1 may be requested.

The following items must be specifically addressed for this application to be considered complete: (Use additional sheets if necessary).

-
- This image shows a single sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

Has any previous application or appeal been filed in connection with this property?

IMPORTANT: *To be considered for a variance, the applicant is required to provide a list of the abutting property owners and property owners immediately across the street or road from the subject property, as shown on the current real estate tax assessment books. This information can be obtained from the Real Estate Division of the Commissioner of the Revenue's Office, Room 107, Fredericksburg City Hall, 715 Princess Anne Street, Fredericksburg, Virginia*

LIST OF ABUTTING PROPERTY OWNERS

[illegible]

Additional sheets may be used if necessary

It is the policy of the Board of Zoning Appeals that members will not discuss variance cases with applicants prior to a scheduled Public Hearing of the Board of Zoning Appeals.

Signature of Applicant

Date _____

Signature of Owner

Date _____

Please do not write below this line

Date of Public Hearing_____

| Approved | Denied | Tabled | Withdrawn |
|----------|--------|--------|-----------|
|----------|--------|--------|-----------|

| | 1 | 2 | 3 | 4 |
|------------|---|---|---|---|
| Voting Yes | | | | |

Voting No



CITY OF FREDERICKSBURG, VIRGINIA BOARD OF ZONING APPEALS

2006 FILING DEADLINES AND MEETING DATES

| FILING DEADLINE | PUBLIC NOTICE DATES | MEETING DATE |
|--------------------|--|--------------------|
| December 30, 2005 | January 9, 2006 / January 16, 2006 | January 23, 2006 |
| January 27, 2006 | February 13, 2006 / February 20, 2006 | February 27, 2006 |
| February 24, 2006 | March 6, 2006 / March 13, 2006 | March 20, 2006 |
| March 24, 2006 | April 3, 2006 / April 10, 2006 | April 17, 2006 |
| April 21, 2006 | May 1, 2006 / May 8, 2006 | May 15, 2006 |
| May 26, 2006 | June 5, 2006 / June 12, 2006 | June 19, 2006 |
| June 23, 2006 | July 3, 2006 / July 10, 2006 | July 17, 2006 |
| July 21, 2006 | August 7, 2006 / August 14, 2006 | August 21, 2006 |
| August 25, 2006 | September 4, 2006 / September 11, 2006 | September 18, 2006 |
| September 22, 2006 | October 2, 2006 / October 9, 2006 | October 16, 2006 |
| October 27, 2006 | November 6, 2006 / November 13, 2006 | November 20, 2006 |
| November 24, 2006 | December 4, 2006 / December 11, 2006 | December 18, 2006 |

The Board of Zoning Appeals meets to conduct a public hearing and to consider applications for variances on the third Monday of each month* at 4:00 p.m. in Council Chambers, City Hall, 715 Princess Anne Street, Fredericksburg, Virginia. The applicant or his or her representative should be present to answer questions from the Board.

Applicants must submit applications, ***along with the accompanying fee, payable to the City of Fredericksburg***, to the Office of Planning & Community Development, Room 209 City Hall. ***Please submit seven (7) copies of plats, plans, and other supporting material along with the application.*** Office hours are Monday through Friday, 8:15 a.m. to 4:30 p.m.

Filing deadlines are established to allow sufficient time to process applications and comply with public notification requirements. Public notices will appear in *The Free Lance-Star*.

*The Board of Zoning Appeals holds its January and February public hearings on the fourth Monday of the month due to City Offices being closed for holidays.